

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

(Case No. 99,089)

Express Mail No.: EL442911600US

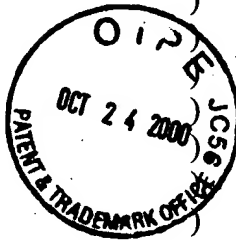
In re Application of:

**Mark O. Vogel**

Serial No.: 09/318,460

Filed: May 25, 1999

For: **METHOD FOR DYNAMIC  
PERFORMANCE  
OPTIMIZATION IN A  
DATA-OVER-CABLE SYSTEM**



Examiner: To be Assigned

Art Unit: 2731

**SIXTH SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT LETTER**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Pursuant to the duty of disclosure provided by 35 C.F.R. § 1.56 and §§ 1.97-98, the applicants wish to make the following references of record in the above-identified application. Copies of the references are enclosed. Copies are also listed in the PTO-1449 form enclosed herewith. It is requested that the documents be given careful consideration and that they be cited of record in the prosecution history of the present application so that they will appear on the face of the patent issuing from the present application.

Portions of the references may be material to the examination of the pending claims, however no such admission is intended. 37 C.F.R. 1.97 (h). The references have not been reviewed in sufficient detail to make any other representation and, in particular, no representation is intended as to the relative importance of any portion of the

references. This Statement is not a representation that the cited references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. sections 102 or 103.

### **CITED REFERENCES**

#### **U.S. Patent Documents**


	<b>Document</b>	<b>Date</b>	<b>Name</b>
1.	5,598,410	1/28/1997	Stone
2.	5,790,806	8/4/1998	Koperda
3.	5,841,777	11/24/1998	Cohen
4.	5,852,721	12/22/1998	Dillon et al.
5.	5,903,558	5/11/1999	Jones et al.
6.	6,006,264	12/21/1999	Colby et al.
7.	6,049,546	4/11/2000	Ramakrishnan
8.	6,075,787	6/13/2000	Boback et al.

Respectfully submitted,

**McDonnell, Boehnen, Hulbert & Berghoff**

Date: **October 24, 2000**

by: \_\_\_\_\_

  
Enrique Perez  
Registration No. 43,853

10-25-W 2664 2721

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Asst. Commissioner for Patents  
Washington, D.C. 20231

**TRANSMITTAL LETTER**

1. We are transmitting herewith the attached papers for the above identified new patent application:
  - 1) Sixth Supplemental Information Disclosure Statement Letter;
  - 2) Sixth Supplemental PTO-1449 Form;
  - 3) Return Postcard; and
  - 4) Copies of IDS citations for 09/318,460 (8 cited references).
2. No fee is due.
3. **GENERAL AUTHORIZATION TO CHARGE OR CREDIT FEES:** Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.
4. **CERTIFICATE OF MAILING UNDER 37 CFR § 1.10:** The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1, are being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" and is addressed to Asst. Commissioner for Patents, Washington, D.C. 20231 on this 24<sup>th</sup> day of October 2000.

By: 

Enrique Perez  
Reg. No. 43,853